

(Only for new nonprovisional applications under
37 CFR 1.53(b))

MCD128

Gary R. Flauaus, et al.

METHOD OF DETECTING AND MONITORING FABRIC CONGESTION

EV322528438US

Commissioner for Patents
Mail Stop Patent Application
PO Box 1450
Alexandria, VA 22313-1450

1. ☒ Fee Transmittal Form
(submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 C.F.R. 1.27
3. ☒ Specification [total pages 55]
(preferred Arrangement set forth below)
 - Descriptive title of the Invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R&D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) [total sheets 12]
5. ☒ Oath or Declaration [total sheets 3]
 - a. ☒ Newly executed (original or copy)
 - b. ☐ Copy from prior appl. (37 C.F.R. § 1.63(d))
 - i. ☐ ~~DELETION OF INVENTOR(S)~~
Signed statement attached deleting inventor(s) named in prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

6. ☐ Application Data Sheet. (See 37 CFR 1.76)
7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form
 - b. ☐ Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

9. ☒ Assignment Papers (coversheet/document(s))

10. ☐ 37 CFR. 3.73(b) Statement ☒ Power of Attorney
(when there is an assignee)

11. ☐ English Translation Document

12. ☐ IDS & Form 1449 ☐ Copies of IDS Citations

13. ☐ Preliminary Amendment

14. ☒ Return Receipt Postcard (MPEP 503)

15. ☐ Certified Copy of Priority Document(s)

16. ☐ Request and Certification under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form
PTO/SB/35 or its equivalent.

17. ☐ Other:

17. If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: ____ / ____ ____

Prior application information: Examiner: Group/Art Unit:

FOR CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label or ☐ Correspondence address below

25235

Name

Address

City

State

ZIP

Country

Telephon**Fax**

Name (Print/Type)

Kent A. Lembke

Registration No.

44,866

(Signature)

Date

11/19/03

\\BO - 83629/0049 - 158092 v1

111903
16810 U.S. PTO

FEE TRANSMITTAL for FY 2004

Complete if Known

TOTAL AMOUNT OF PAYMENT (\$) (\$882.00)

Application Number
Filing Date Herewith
First Named Inventor Gary R. Flauaus, et al.
Examiner Name
Group / Art Unit
Attorney Docket No. MCD128

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 50-1123

Deposit Account Name Hogan & Hartson L.L.P.

☒ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:
☒ Check ☐ Credit Card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility Filing Fee	770.00
1006 340	2006 170	Design filing fee	
1007 530	2007 265	Plant filing fee	
1008 770	2008 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$770.00)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
24	-20**= 4	18.00	72.00
3	-3**=		0
Multiple Dependent			0

**or number previously paid, if greater; For Reissues, see below

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 84	2204 42	**Reissue independent claims over original patent
1205 18	2205 9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$72.00)

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 420	216 210	Extension for reply within second month	
117 950	217 475	Extension for reply within third month	
118 1,480	218 740	Extension for reply within fourth month	
128 2,010	228 1,005	Extension for reply within fifth month	
119 330	219 165	Notice of Appeal	
120 330	220 165	Filing a brief in support of an appeal	
121 290	221 145	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,330	241 665	Petition to revive - unintentional	
142 1,300	242 650	Utility issue fee (or reissue)	
143 480	243 240	Design issue fee	
144 640	244 320	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	40.00
146 770	246 385	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 770	249 385	For each additional invention to be examined (37 CFR § 1.129(b))	
179 770	279 385	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$40.00)

SUBMITTED BY Complete (if applicable)

Name Kent A. Lembke

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Signature

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Date

11/19/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Gary R. Flauaus, et al.

Serial No. _____

Filed: Herewith

For: METHOD OF DETECTING AND
MONITORING FABRIC CONGESTION

Group Art Unit:

Examiner:

CERTIFICATE OF MAILING BY EXPRESS MAIL

Mail Stop Patent Application
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Commissioner:

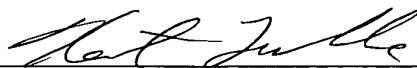
The undersigned hereby certifies that the following documents:

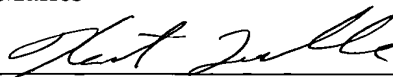
- Utility Patent Application Transmittal;
- Utility Patent Application [Specification (50 pages); Claims (4 pages); Abstract (1 page); Drawings (12 sheets)];
- Declaration (executed);
- Assignment with Recordation Cover Sheet;
- Fee Transmittal with check in the amount of \$882.00;
- Certificate of Mailing by Express Mail; and
- Return Receipt Postcard.

relating to the above application, were deposited as "Express Mail", Mailing Label No. EV322528438US, with the United States Postal Service, addressed to Mail Stop PATENT APPLICATION, Commissioner for Patents, PO Box 1450, Alexandria VA, 22313-1450, November 19, 2003.

11/19/03
Date

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Date


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